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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

7 ALLAL K. AMRANI, et al.,

8 Plaintiffs,

9 v.

10 U.S. BANK TRUST, N.A., AS TRUSTEE  
11 FOR LSF9 MASTER PARTICIPATION  
TRUST, et al.,

12 Defendants.

CASE NO. C19-844 RSM

ORDER TO SHOW CAUSE

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14 This matter is before the Court *sua sponte*. Plaintiff Allal Amrani has been granted *in*  
15 *forma pauperis* (“IFP”) status in this matter and is proceeding *pro se*. Dkt. #3. On several  
16 occasions, the Court has expressed concern over whether this matter is within the Court’s subject  
17 matter jurisdiction. Dkts. #14 and #38. Several defendants have also questioned whether this  
18 Court lacks subject matter jurisdiction under the *Rooker-Feldman*<sup>1</sup> doctrine. Dkt. #27 at 6–7.  
19 Accordingly, the Court orders the parties to show cause why this case falls within the Court’s  
20 subject matter jurisdiction.

21 Federal courts are courts of limited jurisdiction and a plaintiff bears the burden of  
22 establishing that a case is properly filed in federal court. *Kokkonen v. Guardian Life Ins. Co.*, 511

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24 <sup>1</sup> *Rooker v. Fidelity Trust Co.*, 263 U.S. 413 (1923); *D.C. Court of Appeals v. Feldman*, 460 U.S.  
462 (1983).

1 U.S. 375, 377 (1994); *In re Ford Motor Co./Citibank (South Dakota), N.A.*, 264 F.3d 952, 957  
2 (9th Cir. 2001). This burden, at the pleading stage, must be met by pleading sufficient allegations  
3 to show a proper basis for the federal court to assert subject matter jurisdiction over the action.  
4 *McNutt v. General Motors Acceptance Corp.*, 298 U.S. 178, 189 (1936). A plaintiff may establish  
5 either federal question jurisdiction or diversity jurisdiction.<sup>2</sup> Federal question jurisdiction is  
6 established by pleading a “colorable claim ‘rising under’ the Constitution or laws of the United  
7 States.” *Arbaugh v. Y&H Corp.*, 546 U.S. 500, 513 (2006) (citations omitted); 28 U.S.C. § 1331.

8 Establishing subject matter jurisdiction is paramount. *Valdez v. Allstate Ins. Co.*, 372 F.3d  
9 1115, 1116 (9th Cir. 2004). “When a requirement goes to subject-matter jurisdiction, courts are  
10 obligated to consider *sua sponte* issues that the parties have disclaimed or have not presented [as]  
11 . . . [s]ubject-matter jurisdiction can never be waived or forfeited.” *Gonzalez v. Thaler*, 565 U.S.  
12 134, 141 (2012). To this end, Federal Rule of Civil Procedure 12 requires that “[i]f the court  
13 determines at any time that it lacks subject-matter jurisdiction, the court must dismiss the action.”  
14 FED. R. CIV. P. 12(h)(3). Similarly, where a plaintiff is proceeding IFP, a court will dismiss a  
15 complaint at any time if the action fails to state a claim, raises frivolous or malicious claims, or  
16 seeks monetary relief from a defendant who is immune from such relief. *See* 28 U.S.C.  
17 § 1915(e)(2)(B).

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20 <sup>2</sup> The Court has already noted that Plaintiff cannot establish diversity jurisdiction. Dkt. #14 at 6.  
21 Diversity jurisdiction requires that a plaintiff plead “a claim between parties of diverse  
22 citizenship that exceeds the required jurisdictional amount, currently \$75,000.” *Arbaugh v. Y&H*  
23 *Corp.*, 546 U.S. 500, 513 (2006) (citing 28 U.S.C. § 1332). For diversity jurisdiction in a case  
24 involving multiple plaintiffs and defendants, each plaintiff must be a citizen of a different state  
than each defendant. *Morris v. Princess Cruises, Inc.*, 236 F.3d 1061, 1067 (9th Cir. 2001);  
*Caterpillar Inc. v. Lewis*, 519 U.S. 61, 67 (1996). If any plaintiff is a citizen of the same state as  
any defendant, complete diversity is destroyed. “Plaintiff pleads that both he and his former  
business partner—Defendant Maruthai Shanmugam—are residents of King County,  
Washington. Dkt. #5 at ¶¶ 1–3. This alone precludes diversity jurisdiction.” Dkt. #14 at 6.

1 As the Court has previously noted, Plaintiff has not established that he validly raises a  
2 federal question. Dkt. #14 at 7. Accordingly, the Court finds and ORDERS:

- 3 1. That each party shall file a short and plain statement, **not to exceed six (6) double-spaced**  
4 **pages**, explaining whether this Court does or does not have subject matter jurisdiction.

5 This should include:

- 6 a. Identification of the laws or statutes giving rise to federal question jurisdiction, if any;  
7 b. Analysis of whether Plaintiff has standing to assert those claims;  
8 c. How a defendant violated the laws or statutes giving rise to federal question  
9 jurisdiction; and  
10 d. Analysis of whether those claims are barred by the *Rooker-Feldman* doctrine.

- 11 2. Responses are due **no later than twenty-one (21) days from the date of this Order.**

- 12 3. The Court will take no further action in this case until responses are filed.

- 13 4. Plaintiff is warned that his failure to file a response will result in dismissal of this action.

14 DATED this 12 day of August 2019.

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16 RICARDO S. MARTINEZ  
17 CHIEF UNITED STATES DISTRICT JUDGE  
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